

DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS
Big Stone City School District
Accountability Review - Monitoring Report 2011-2012

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Dates of On Site Visit: October 12, 2011

Date of Report: November 9, 2011

All non-compliance must be corrected within 1 year of this report date. Date Closed:

Program monitoring and evaluation.

In conjunction with its general supervisory responsibility under the Individuals with Disabilities Education Act, Part B, Special Education Programs (SEP) of the Office of Educational Services and Support shall monitor agencies, institutions, and organizations responsible for carrying out special education programs in the state, including any obligations imposed on those agencies, institutions, and organizations. The department shall ensure:

- (1) That the requirements of this article are carried out;
- (2) That each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency, but not including elementary schools and secondary schools for Native American children operated or funded by the Secretary of the Interior:
 - (a) Is under the general supervision of the persons responsible for educational programs for children with disabilities in the department; and
 - (b) Meets the educational standards of the state education agency, including the requirements of this article; and
- (3) In carrying out this article with respect to homeless children, the requirements of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007, are met. (Reference- ARSD 24:05:20:18.)

State monitoring--Quantifiable indicators and priority areas.

The department shall monitor school districts using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in those areas:

- (1) Provision of Free Appropriate Public Education (FAPE) in the least restrictive environment;
 - (2) Department exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services as defined in this article and article 24:14; and
 - (3) Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. (Reference-ARSD 24:05:20:18:02.)
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State enforcement -- Determinations.

On an annual basis, based on local district performance data, information obtained through monitoring visits, and other information available, the department shall determine whether each school district meets the requirements and purposes of Part B of the IDEA...

Based upon the information obtained through monitoring visits, and any other public information made available, Special Education Programs of the Office of Educational Services and Support determines if the agency, institution, or organization responsible for carrying out special education programs in the state:

- Meets the requirements and purposes of Part B of the Act;
- Needs assistance in implementing the requirements of Part B of the Act'
- Needs intervention in implementing the requirements of Part B of the Act; or
- Needs substantial intervention in implementing the requirements of Part B of the Act. (Reference-ARSD 24:05:20:23.04.)

Deficiency correction procedures.

The department shall require local education agencies to correct deficiencies in program operations that are identified through monitoring as soon as possible, but not later than one year from written identification of the deficiency. The department shall order agencies to take corrective actions and to submit a plan for achieving and documenting full compliance. (Reference-ARSD 24:05:20:20.)

1. GENERAL SUPERVISION / STATE PERFORMANCE PLAN COMPLIANCE INDICATOR

24:05:30:05. Content of notice. The notice must include the following:

- (1) A description of the action proposed or refused by the district, an explanation of why the district proposes or refuses to take the action, and a description of any other options the IEP team considered and the reasons why those options were rejected;
- (2) A description of each evaluation procedure, assessment, record, or report that the district uses as a basis for the proposal or refusal;
- (3) A description of any other factors which are relevant to the district's proposal or refusal;
- (4) A statement that the parents of a child with a disability have protection under the procedural safeguards of this article and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained; and
- (5) Sources for parents to contact to obtain assistance in understanding the provisions of this article.

Corrective Action:

Prong 1: Correct each individual case of noncompliance

Through a review of student records and interview, the monitoring team noted that prior written notice did not contain all required content in three student files reviewed.

Student:	Required Action:	Data To Be Submitted:
Students # 1, 2 and 4	The district must submit the prior notice/consents for the administration of evaluations and the prior notices for meetings.	The district must submit documentation to support the prior written notices contain all required content.
Timeline for Completion: December 15, 2011		

2. GENERAL SUPERVISION / STATE PERFORMANCE PLAN COMPLIANCE INDICATOR

ARSD 24:05:25:04. Evaluation procedures -- General. School districts shall ensure, at a minimum, that evaluation procedures include the following:

- (5) A variety of assessment tools and strategies are used to gather relevant functional, developmental, and academic information about the child, including information provided by the parents that may assist in determining:
 - (a) Whether the child is a child with a disability; and
 - (b) The content of the child's IEP, including information related to enabling the child:
 - (i) To be involved in and progress in the general education curriculum; or
 - (ii) For a preschool child, to participate in appropriate activities;

Corrective Action:

Prong 1: Correct each individual case of noncompliance

Through a review of student records and interview, the monitoring team noted that skill-based assessment was not conducted in three student files reviewed.

Student:	Required Action:	Data To Be Submitted:
Students # 1, 2 and 4	The district must conduct additional evaluation to gather skill-based assessment in the areas of disability for each of these students. Evaluation reports must be written and copies provided to parents. The IEP teams must meet to amend the present levels of academic	The district must submit the prior notice/consents for the administration of the skill based assessment, the prior notice for the meeting to amend the IEPs and the amended IEP that include

	achievement and functional performance (PLAAFP) and use the skill base assessment to develop the content of the IEP (PLAAFP).	the skill based information to develop the PLAAFP.
Timeline for Completion: December 15, 2011		

3. GENERAL SUPERVISION / STATE PERFORMANCE PLAN COMPLIANCE INDICATOR

24:05:27:01.03. Content of individualized education program. Each student's individualized education program shall include:

- (1) A statement of the student's present levels of academic achievement and functional performance, including:
 - (a) How the student's disability affects the student's involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled students); or
 - (b) For preschool student, as appropriate, how the disability affects the student's participation in appropriate activities;
- (3) A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided to enable the student:
 - (a) To advance appropriately toward attaining the annual goals;
 - (b) To be involved and make progress in the general education curriculum in accordance with this section and to participate in extracurricular and other nonacademic activities; and
 - (c) To be educated and participate with other students with disabilities and nondisabled students in the activities described in this section;

Corrective Action:

Prong 1: Correct each individual case of noncompliance

Through a review of student records and interview, the monitoring team noted the following content was missing or not accurately documented in IEP: how the student's disability affects his/her involvement and progress in the general education curriculum and the description of services to be provided.

Student:	Required Action:	Data To Be Submitted:
Students # 1, 2, 3 and 4	The IEP teams are to meet, review and amend the students IEP: to include how the student's disability affects the student's involvement and progress in the general education curriculum; or, for a preschool student, how the disability affects the student's participation in appropriate activities in the PLAAFP, and revise the description of services to reflect how it is to address annual goals.	The district must submit the prior notices for the meetings to amend the IEPs and the amended IEPs.
Timeline for Completion: December 15, 2011		

Prong 2: Correctly implement the specific regulatory requirements (i.e. achieved 100% compliance), based on the SEA's review of updated data.

Required Action:

The district must review and update its policy, procedure, and practice regarding the following:

- Completion of prior written notices that contains required content.
- Development of evaluation reports that must be provided to parents including administering and reporting skill-

based assessment.

- Determining eligibility and completing the eligibility documents.
- Developing an IEP that provides educational benefit.

The district will receive technical assistance regarding these issues. The training date, provider, and participants will be documented and submitted to the team leader in support of verifying correction through updated data.

Data To Be Submitted:

In the event a student is referred for evaluation, requires a reevaluation or transfers into the district from an in-state or out of state, the district will submit the following documentation to support the required action if applicable:

1. Referral document
2. The prior notice/consent for evaluation
3. Copies of all the evaluation reports including skill-based assessment and transition
4. Copy of the prior notice for the eligibility/IEP meeting/transfer
5. Copy of the MDT/eligibility document and;
6. Copy of the IEP

The district will submit a copy of the updated policy, procedure, and practice that addresses correction to the General Supervision # 1, 2 and 3 is to be submitted to verify correction through updated data.

Target Date for Completion: May 1, 2012

All non-compliance must be corrected within 1 year of this report date.

Date:

Status Report:

State Performance Plan – Performance Indicators

Indicator 3 – Participation/Performance on Assessment

A-Percent of districts meeting the State's AYP objectives for progress for disability subgroup

B -Participation rate for children with IEP's in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.

C-Proficiency rate for children with IEP's against grade level standards and alternate achievement standards.

District Policy, Procedure, and Practice:

The district achieved a 100% compared to the State target of 72%. Due to the size of the district, they are fortunate to be able to easily identify the students who need extra support.

Indicator 8 – Parent Involvement

Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

District Policy, Procedure and Practice:

The districts parents' response is 50%. In order to improve or meet the state target goal of 64.2% or higher, the district will be asking parents to complete the parent surveys at IEP meetings and possibly attach an incentive to the completion and submission of the surveys.